

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 00-6273-CR-HUCK

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ARIEL HERNANDEZ,


Defendant.

**ORDER ON EMERGENCY MOTION TO WITHDRAW**  
**AS CO-APPELLATE COUNSEL**

THIS MATTER came before the Court pursuant to Attorney Jeffrey Weinkle's Emergency Motion to Withdraw as Co-Appellate Counsel (D.E. #649 ). After reviewing the motion, the Government's response and hearing argument from counsel, it is

ORDERED and ADJUDGED that the motion is **DENIED** as moot on the basis that all parties agree that the 11th Circuit Court of Appeals, not this Court, has jurisdiction over this matter. Attorney Jeffrey Weinkle has indicated that he will file his motion with the 11th Circuit Court of Appeals.

DONE and ORDERED in Chambers at Miami, Florida this 22<sup>nd</sup> day of October, 2003.

  
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PAUL C. HUCK  
UNITED STATES DISTRICT JUDGE

cc: Lawrence Lavecchio, AUSA  
Lisa Hirsch, AUSA  
Richard Rosenbaum, Esq.  
Jeffrey Weinkle, Esq.

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